



O'Melveny & Myers LLP
1999 Avenue of the Stars
8th Floor
Los Angeles, CA 90067-6035

T: +1 310 553 6700
F: +1 310 246 6779
omm.com

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May 23, 2023

Molly M. Lens
D: +1 310 246 8593
mlens@omm.com

The Honorable Taryn A. Merkl
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Marvel Characters, Inc. v. Solo, No. 1:21-cv-05316-NRM-TAM – Response to Order of May 22, 2023

Dear Judge Merkl:

We write jointly on behalf of Marvel Characters Inc. ("MCI"), on the one hand, and Nanci Solo, Erik Colan, and Rachel Waldman, on the other, in response to the Court's Order of May 22, 2023 directing the parties to submit a proposed summary judgment briefing schedule by May 26, 2023. We jointly advise that the parties now anticipate a dismissal of all claims in this action within the next thirty (30) days. To avoid the unnecessary expenditure of party and judicial resources, the parties respectfully request that the Court adjourn any deadlines relating to summary judgment for forty-five (45) days. To the extent that the case remains pending after such time, the parties respectfully propose that they submit a joint status report on July 7, 2023.

Respectfully submitted,

/s/ *Molly M. Lens*

/s/ *Marc Toberoff*

Molly M. Lens
Of O'Melveny & Myers LLP
for Marvel Characters Inc.

Marc Toberoff
Of Toberoff & Associates PC
*for Nanci Solo, Erik Colan, and
Rachel Waldman*